

Expedited Bill No. 22-03
Concerning: Building Code –
International Standards
Revised: 7-29-03 Draft No. 3
Introduced: July 1, 2003
Enacted: July 29, 2003
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the request of the County Executive

AN EXPEDITED ACT to:

- (1) amend references to the model building construction code adopted by the County;
and
- (2) modernize terminology, repeal obsolete language, and generally amend the law
regarding the County building code.

By amending

Montgomery County Code
Chapter 8, Buildings
Sections 8-2, 8-12, 8-13, and 8-14

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

Sec 1. Sections 8-2, 8-12, 8-13, and 8-14 are amended as follows:

8-2. Definitions.

In this Chapter, the following words and phrases have the following meanings:

[*BOCA Basic*] International Building Code. A comprehensive performance code governing materials and methods of construction used in buildings and structures or parts of either, and their service equipment and systems [of construction], published [from time to time] periodically by the [Building Officials and Code Administrators International] International Code Council, Inc., (ICC) or any successor body.

* * *

8-12. Duties and responsibilities.

* * *

(d) *Research and investigations.* [He shall make or cause to be made investigations of] The Director must investigate new developments in the building industry[; subject]. Subject to local climatic or other conditions, [he shall] the Director must accredit tests meeting the functional requirements of this Chapter conducted by accredited authoritative agencies listed in [rules and] applicable regulations. [published in accordance with procedures set forth herein; or he] The Director also may accept duly authenticated reports from the [Building Officials Conference of America] International Code Council, Inc., or from recognized authoritative sources of all new materials and methods of construction proposed for use which are not specifically provided for in this Chapter[; the]. The costs of all tests or other investigations required under [these provisions shall] this subsection must be paid by the applicant[;].

8-13. Regulations.

* * *

(b) The Director [shall] must hold at least one public [hearings] hearing, [upon] after adequate public notice, [prior to forwarding his or her recommendations for] before recommending to the Executive regulations [setting forth the] adopting standards and requirements for the construction, alteration, addition, repair, removal, demolition, use, location, occupancy, and maintenance of all buildings and structures or parts of either, on-site access facilities to [such] buildings and structures, and their service equipment [within the county]. [Such] Those regulations, adopted under method (2) [of section 2A-15 of this Code], [shall] must be based [upon a designated] on the latest edition of the [BOCA Basic Building Code] ICC International Building Code and any local amendments [thereto] to that Code.

[(c) Those provisions of chapter 8 regulating standards and requirements described in subsection (b) herein repealed by this act, shall continue in force and effect until they are superseded by regulations adopted and approved in accordance with subsection (b).]

8-14. Standards applicable

The [currently designated edition BOCA Basic Building Code] [latest published] edition of the ICC International Building Code designated under Section 8-13 is [hereby adopted as] the basic County building code [for Montgomery County and the]. The construction, alteration, addition, repair, removal, demolition, use, location, occupancy, and maintenance of all buildings and structures or parts thereof, on-site access facilities to [such] buildings and structures, and their service equipment [shall] must meet the standards and requirements set forth [therein or] in that Code.

as amended [in accordance with procedures established in] under Section 8-13 [of this chapter].

Sec. 2. Expedited Effective Date.

The Council declares that this legislation is necessary for the immediate protection of the public interest. This Act takes effect on the date when it becomes law.

Approved:

Michael L. Subin, President, County Council

Date

Approved:

Douglas M. Duncan, County Executive

Date

This is a correct copy of Council action.

Mary A. Edgar, CMC, Clerk of the Council

Date